

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Criminal Docket No.
	)	CR-05-0192 (JBW)
	)	
LOUIS EPPOLITO,	)	
	)	
Defendant,	)	
	)	
and	)	
	)	
NEW YORK CITY POLICE PENSION FUND,	)	
	)	
Garnishee.	)	

INSTRUCTIONS TO DEFENDANT-JUDGMENT DEBTOR  
CLERK'S NOTICE OF POST-JUDGMENT GARNISHMENT

You are hereby notified that property in which you have a substantial non-exempt interest, including non-exempt, disposable earnings, is being garnished from the Louis Eppolito ("Garnishee") by the United States, which has a court judgment dated March 6, 2009 against Louis Eppolito, in United States v. Louis Eppolito, CR-05-0192, in the amount of \$4,750,400.00, plus interest.

The outstanding balance on the aforesaid judgment is \$4,868,181.20, including interest, as of October 9, 2012. Interest is continuing to accrue.

In addition, you are hereby notified that there are exemptions under the law which may protect some of this property from being taken by the United States if you can show that the exemptions apply. Property which may be exempt and may not be subject to this order is listed on the attached Claim for Exemption form.

If you are Louis Eppolito, you have a right to ask the court to return your property to you if you think the property that the United States is taking qualifies under one of the above exemptions or if you think you do not owe the money to the United States that it says you do.

If you want a hearing, you must notify the court within 20 days after you receive this notice. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the Court at the following address:

Clerk of the Court  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East, Rm. 130  
Brooklyn, NY 11201

If you wish, you may use this notice to request the hearing by checking the box below and mailing this notice to the Clerk of the Court at the following address:

Clerk of the Court  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East, Rm. 130  
Brooklyn, NY 11201

You must also send a copy of your request to the United

States at the following address:

Beth P. Schwartz  
Assistant U.S. Attorney  
United States Attorney's Office  
Attorney for the United States  
271 Cadman Plaza East  
Brooklyn, New York 11201

so that the United States will know that you want a hearing.

The hearing will take place within 5 days after the Clerk of the Court receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing, you may explain to the judge why you believe that the property that the United States has taken is exempt or why you think that you do not owe the money to the United States.

Furthermore, the New York City Police Pension Fund, as Garnishee, is required to file written answer to the Writ of Garnishment with the court. The Garnishee is further required to serve you with a copy of the answer.

You may also file a written objection to the answer of the Garnishee within 20 days after receipt of the answer. In your objection to the answer, you may also request a hearing.

Your written objection must set forth the grounds for any objection and you shall retain the burden of proving such grounds.

A copy of the objection and request for a hearing shall be filed with the Court, and a copies served on Beth P. Schwartz, Assistant U.S. Attorney, United States Attorney's Office, 271 Cadman Plaza East, Brooklyn, New York 11201, on behalf of the United States of America, and the Garnishee or counsel for the Garnishee.

If a hearing is requested, the court shall hold a hearing within 10 days after the request is received by the court, or as soon thereafter as is practicable. The court will give notice of the hearing date to all parties. At the hearing you may explain to the judge why you think you do not owe the debt to the United States or why you think the garnished property qualifies under one of the above exemptions.

If you do not request a hearing within 20 days of receiving after receipt of the answer of the Garnishee, the court shall promptly enter an order directing the Garnishee as to the disposition of your nonexempt interest in the property.

If you think you live outside the federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding be transferred by the court to the federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the Court, United States Courthouse, Eastern District of New York, 225 Cadman Plaza East, Rm. 130, Brooklyn, New York, 11201.

You must also send a copy of your request to Beth P. Schwartz, Assistant U.S. Attorney, United States Attorney's Office, 271 Cadman Plaza East, Brooklyn, New York 11201, and the Garnishee or counsel for the Garnishee, so that they will know that you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the Clerk of the Court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

Dated: December , 2012

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HONORABLE DOUGLAS C. PALMER  
Clerk of the Court  
United States District Court  
Eastern District of New York

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DEPUTY CLERK

\_\_\_\_\_ **I request a hearing**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant